



Entered on Docket  
May 29, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:  
  
USA COMMERCIAL MORTGAGE  
COMPANY,  
  
USA CAPITAL REALTY ADVISORS,  
LLC,  
  
USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,  
  
USA CAPITAL FIRST TRUST DEED  
FUND, LLC,  
  
USA SECURITIES, LLC,  
  
Debtors.

) Case No. BK-S-06-10725-LBR  
) Case No. BK-S-06-10726-LBR  
) Case No. BK-S-06-10727-LBR  
) Case No. BK-S-06-10728-LBR  
) Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

Date: April 26, 2007  
Time: 9:30 a.m

**Affecting:**

☐ All Cases

**or Only:**

- ☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

**ORDER SUSTAINING TWENTY-SECOND OMNIBUS OBJECTION OF THE  
USACM LIQUIDATING TRUST TO CLAIMS ASSERTING SECURED STATUS**

The USACM Liquidating Trust (the "USACM Trust") filed its Twenty-Second Omnibus Objection to Claims Asserting Secured Status [DE 3176] (the "Objection") on March 20, 2007. Appropriate notice of the Objection was given. No responses were filed with this Court. The Objection came before the Court for hearing on April 26, 2007 at 9:30 a.m. Good cause appearing, it is

**ORDERED:**

- Sustaining the USACM Trust's Twenty-Second Omnibus Objection to Claims Asserting Secured Status;
- Reclassifying the Proofs of Claim listed on Exhibit A attached as general unsecured claims; and
- Reserving the right of any party in interest, including the USACM Trust, to further object to any and all claims listed on Exhibit A attached as unsecured claims or otherwise, whether or not the subject of this Objection.

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**PREPARED AND SUBMITTED:**

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)  
Susan M. Freeman  
Rob Charles  
*Attorneys for USACM Liquidating Trust*

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing regarding this matter and/or who filed a written objection and each has:
- ☐ approved the form of this order;
- ☐ waived the right to review the order;
- ☐ failed to file and serve papers in accordance with LR 9021(c); and/or
- ☐ failed to sign and return this proposed order within five (5) business days in accordance with LR 9021(b).
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the form of the order.
- ☒ No opposition was filed and no other party or counsel appeared at the hearing.

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)  
Susan M. Freeman  
Rob Charles  
*Attorneys for USACM Liquidating Trust*

**22nd Objection to Claims Asserting Secured Status - Reclassify as General Unsecured Claims**

	<b><u>Claimant</u></b>	<b><u>Proof of Claim Number</u></b>	<b><u>Date Filed</u></b>	<b><u>Proof of Claim Amount</u></b>	<b><u>Proof of Claim Classification</u></b>
1	Moore, Patrick C/O Muks Realty LLC 77-251 Iroquois Dr Indian Wells. CA 92210	10725-02153	1/12/2007	\$304,258.34	S, U
2	Morgan IRA, Rosalie A 6869 Eagle Wing Dr Sparks. NV 89436-8496	10725-01512	11/29/2006	\$126,910.00	S, P, U
3	Morton Ira, Nadine First Savings Bank Custodian 2708 La Solana Way Las Vegas. Nv 89102	10725-00557	10/12/2006	\$10,712.58	S
4	Morton, Nadine 2708 La Solana Way Las Vegas. NV 89102	10725-00556	10/12/2006	\$50,000.00	S
5	Motto, George J Joe Laxague Esq Cane Clark Llp 3272 E Warm Springs Las Vegas. Nv 89120	10725-00854	11/13/2006	\$550,000.00	S
6	Mulkey, Laura 2860 Augusta Dr Las Vegas. NV 89109	10725-01048	11/6/2006	\$175,000.00	S
7	Mullin, Elaine 3115 Merrill Dr #37 Torrance. Ca 90503	10725-00221	9/25/2006	\$220,000.00	S
8	Murphy Family Trust Dr James & Tracy Murphy Ttees Christopher D Jaime Esq Maupin Cox & Legoy Po Box 30000 Reno NV 89520	10725-00099	8/15/2006	\$122,753.00	S
9	Murphy Family Trust Dr James & Tracy Murphy Ttees Christopher D Jaime Esq Maupin Cox & Legoy Po Box 30000 Reno NV 89520	10725-00471	10/6/2006	\$122,753.00	S
10	Murphy Family Trust Dr James & Tracy Murphy Ttees Christopher D Jaime Esq Po Box 30000 Reno. NV 89520	10725-00100	8/15/2006	\$75,699.00	S
11	Murphy Family Trust Dr James & Tracy Murphy Ttees Christopher D Jaime Esq Po Box 30000 Reno. NV 89520	10725-00101	8/15/2006	\$75,717.00	S

12	Murphy Family Trust Dr James & Tracy Murphy Ttees Christopher D Jaime Esq Po Box 30000 Reno. NV 89520	10725-00469	10/6/2006	\$75,717.00	S
13	Murphy Family Trust Dr James & Tracy Murphy Ttees Christopher D Jaime Esq Po Box 30000 Reno. NV 89520	10725-00470	10/6/2006	\$75,699.00	S
14	Murphy, Elizabeth R 320 Hidden Trails Rd Escondido, Ca 92027	10725-02041	1/11/2007	\$25,098.63	S, U
15	Murray, Gordon & Shirley 8100 Sunset Cove Dr Las Vegas. NV 89128-7714	10725-00232	9/25/2006	\$100,000.00	S
16	Mw Gorts & Company Michael Gorts 7820 Emerald Harbor Ct Las Vegas. NV 89128	10725-00200	9/20/2006	\$100,000.00	S
17	Mw Gorts & Company Michael Gorts 7820 Emerald Harbor Ct Las Vegas. NV 89128	10725-00201	9/20/2006	\$100,000.00	S
18	Nadine Morton Ira First Savings Bank, Custodian 2708 La Solana Wy. Las Vegas. Nv 89102	10725-00558	10/12/2006	\$16,882.42	S
19	Nadine Morton 2708 La Solana Wy. Las Vegas, NV 89102	10725-00625	10/17/2006	\$50,000.00	S
20	Nakashima, Vicky 1681 Fairburn Ave Los Angeles. CA 90024	10725-01018	10/26/2006	\$155,000.00	S
21	Nancy C. Serino IRA 177 Rainbow Drive #7730 Livingston, TX 77399-0001	10725-02424	1/12/2007	\$32,824.37	S
22	Nancy C. Serino IRA 177 Rainbow Drive #7730 Livingston, TX 77399-0001	10725-02425	1/12/2007	\$64,406.10	S
23	Nancy C. Serino IRA 177 Rainbow Drive #7730 Livingston, TX 77399-0001	10725-02426	1/12/2007	\$53,123.49	S
24	Nancy Guyer & Todd Barrett 455 Enterprise Ct Boulder City, NV 89005-1508	10725-02194	1/12/2007	\$54,000.00	S

25	Nancy R Davis Defined Benefit Plan Nancy R Davis Ttee 12291 Prosser Dam Rd Truckee. CA 96161	10725-02085	1/11/2007	\$139,531.75	S, U
26	Nancy R Gilmour IRA C/O First Savings Bank Custodian PO Box 1241 Camano Island. WA 98292-1241	10725-01925	1/11/2007	\$203,004.11	S, U
27	Naylon, Dominique Po Box 2 Topaz. Ca 96133	10725-01697	12/11/2006	\$692,466.54	S
28	Naylon, Dominique PO Box 2 Topaz. CA 96133	10725-02044	1/11/2007	\$584,148.81	S, U
29	Neal, Ronald Douglas 22853 Boxwood Ln Santa Clarita. CA 91390-4155	10725-02170	1/12/2007	\$141,138.69	S, U
30	Nevada Freedom Corp Ftbo Debra L Deverill Duane U Deverill Trustee 774 Mays Blvd Ste 10 Pmb 186 Incline Village NV 89451-9613	10725-00401	10/2/2006	\$228,186.82	S
31	Nevada Freedom Corp Ftbo Debra L Deverill Duane U Deverill Trustee 774 Mays Blvd Ste 10 Pmb 186 Incline Village NV 89451-9613	10725-00402	10/2/2006	\$354,947.94	S
32	Nevada Freedom Corp Ftbo Duane U Deverill 774 Mays Blvd Ste 10 Pmb 186 Incline Village. NV 89451-9613	10725-00403	10/2/2006	\$1,052,069.31	S
33	Nevada Freedom Corp Ftbo Duane U Deverill 774 Mays Blvd Ste 10 Pmb 186 Incline Village. NV 89451-9613	10725-00404	10/2/2006	\$304,594.52	S
34	Nevada Freedom Corp Ftbo Duane U Deverill 774 Mays Blvd Ste 10 Pmb 186 Incline Village. NV 89451-9613	10725-00406	10/2/2006	\$101,472.60	S
35	Nevada Freedom Corp Ftbo Duane U Deverill 774 Mays Blvd Ste 10 Pmb 186 Incline Village. NV 89451-9613	10725-00407	10/2/2006	\$820,466.12	S
36	Nevins Jt Ten, Richard & Michele 1547 Bob Goalby Ln El Paso. TX 79935	10725-02026	1/11/2007	\$1,399,379.81	S, U

37	Newman Ttees Of The Newman Family Trust, Larry J & Elsie D 1775 Autumn Valley Way Reno. NV 89523	10725-02150	1/12/2007	\$500,119.23	S, U
38	Nichols, Charles O & Flora A 2561 Seascape Dr Las Vegas, Nv 89128-6834	10725-00479	10/6/2006	\$864,851.83	S
39	Nichols, Suzanne 2561 Seascape Dr Las Vegas, NV 89123	10725-00478	10/6/2006	\$12,820.91	S
40	Nielson Family Trust Dtd 3/9/78 C/O Dell R & Penny Nielson Ttees Po Box 281145 Dysart Rnch Lamoille. NV 89828-1145	10725-00748	10/26/2006	\$48,835.02	S
41	Nix, John & Lisa M 836 Temple Rock Ct Boulder City, Nv 89005	10725-00178	9/1/2006	\$101,791.67	S
42	Norman & Charlene Prins Revoc Living Trust Dtd 10/29/03 Norman & Charlene Prins Ttees 7425 W 104Th St Bloomington MN 55438-2114	10725-01480	11/27/2006	\$118,827.74	S
43	Novak, Lee 503 Kiel St Henderson, NV 89015	10725-00536	10/10/2006	\$100,000.00	S
44	Noxon Family Trust The C/O Arthur G & Joan Noxon Ttees 2657 Windmill Pkwy #197 Henderson, NV 89074-3384	10725-00970	11/3/2006	\$9,157.80	S
45	Noxon Family Trust The Arthur & Joan Noxon Trustees 2657 Windmill Pkwy #197 Henderson, NV 89074-3384	10725-00971	11/3/2006	\$50,000.00	S
46	Noxon Family Trust The C/O Arthur G & Joan Noxon Ttees 2657 Windmill Pkwy #197 Henderson, NV 89074-3384	10725-00972	11/3/2006	\$35,426.83	P, S
47	O'Neill, Charles & Lois C 2340 Armstrong Ln Reno, NV 89509	10725-01731	12/11/2006	\$75,311.86	S
48	O'Neill, Charles E & Lois 2340 Armstrong Ln Reno, NV 89509-3861	10725-01730	12/11/2006	\$75,311.86	S
49	O'Riordan, John E & Sonhild A 2745 Hartwick Pines Dr Henderson, NV 89052-7002	10725-01923	1/10/2007	\$1,738,252.26	S, U